

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TYRELLE GILBERT,

Petitioner,

v.

CCA HALFWAY HOUSE,

Respondent.

**CASE NO. 2:16-CV-00781
JUDGE JAMES L. GRAHAM
Magistrate Judge Kimberly A. Jolson**

OPINION AND ORDER

On August 19, 2016, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the instant petition for a writ of habeas corpus be dismissed. (ECF No. 2.) Petitioner has filed an *Objection* to the Magistrate Judge's *Report and Recommendation*. (ECF No. 3.)

Petitioner asserts that upon his September 29, 2016, release from prison, the Ohio Adult Parole Authority unconstitutionally amended his sentence to include three to five years post release control, forcing him into a halfway house (claim one); and that he was convicted in violation of Ohio's speedy trial statutes (claim two). Petitioner also challenges to Ohio's House Bill 86 (claims three and four). The Magistrate Judge recommended dismissal of these claims as barred by the one-year statute of limitations, unexhausted, and as failing to provide a basis for habeas corpus relief.

Petitioner objects to the Magistrate Judge's recommendations. Petitioner raises the same arguments he previously presented. However, Petitioner provides no basis for this Court to grant him relief.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, Petitioner's *Objection* (ECF No. 3) is **OVERRULED**. The *Report and Recommendation* (ECF No. 2) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

Date: September 14, 2016

s/James L. Graham
JAMES L. GRAHAM
United States District Judge